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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

11 CHARLES MORRIS,
12 Plaintiff,
13 vs.
14 ROMEO ARANAS, et al.
15 Defendant

Case No. 3:18-cv-00310-RCJ-CLB

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
RESPONSE TO REQUEST FOR
PRELIMINARY INJUNCTION
(ECF No. 127)**

Defendants Romeo Aranas, Isidro Baca, Shelly Conlin, Richard Long, David Mar, Melissa Mitchell, and William Miller, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, hereby request an extension of time to file the response to Plaintiff's Motion for Preliminary Injunction. This is the first request the Defendants have made. This Motion is made and based upon the attached Points and Authorities, the papers and pleadings on file, herein, and such other and further information as this Court may deem appropriate.

MEMORANDUM OF POINTS AND AUTHORITIES

I. RELEVANT FACTS AND PROCEDURAL HISTORY AND ARGUMENT

Plaintiff Charles Morris (Morris) is an inmate in the custody of the Nevada Department of Corrections (NDOC) and currently incarcerated at Northern Nevada Correctional Center (NNCC). Morris is proceeding on two claims: an Eighth Amendment deliberate indifference to serious medical

1 needs claim against Defendants Aranas, Long, Mitchell, and Mar, and an Eighth Amendment
2 deliberate indifference to serious threats to inmate's safety claim against Defendants Baca, Miller, and
3 Conlin. ECF No. 43.

4 This Court issued an order, (ECF No. 124) which ordered that the Joint Pretrial Order was
5 accepted and that the trial in this matter would be set on September 11, 2023. The Court also issued
6 an order appointing counsel for Mr. Morris. (ECF No. 126). Subsequent to that order, Mr. Morris
7 filed this motion in pro se. It is believed that the motion itself is inappropriate as Mr. Morris is
8 requesting this Court order medical procedures and the request goes to the heart of the claims.
9 However, at this point, Counsel requests additional time to respond to the motion. Counsel recently
10 completed the jury trial in *Ruiz v. NDOC*, 3:17-cv-00643-RCJ-CSD and 3:18-cv-00206-RCJ-CSD.
11 Due to time for trial and preparation, Counsel has not been able to gather the medical records and
12 responses necessary to respond appropriately to this motion. Counsel also went immediately from
13 trial into pretrial conferences in Lovelock and had a remote hearing with this Court on the *Ruiz* matter,
14 from Lovelock. Therefore, Counsel requests an additional 10 days to respond to the motion.

15 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

16 When an act may or must be done within a specified time, the court may,
17 for good cause, extend the time: (A) with or without motion or notice if
18 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

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20 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, as the trial date
21 is not imminent. The requested extension of time should permit the Defendants to file a proper and
22 complete response to the motion. Therefore, the Defendants request additional time to prepare and file
23 the response.

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II. CONCLUSION

Defendants assert that the requisite good cause and extenuating circumstance is present to warrant the requested extension of time. Therefore, the Defendants requests an extension, until **May 12, 2023**, to file the response to Plaintiff's Motion for Preliminary Injunction.

DATED this 2nd day of May, 2023.

AARON D. FORD
Attorney General

By: /s/ Douglas R. Rands
DOUGLAS R. RANDS, Bar No. 3572
Senior Deputy Attorney General

Attorneys for Defendants

**IT IS SO ORDERED.
DATED: May 8, 2023**


R. Jones
UNITED STATES DISTRICT JUDGE